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**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION**

NATIONAL URBAN LEAGUE, *et al.*,

Case No. 5:20-cv-05799-LHK

Plaintiff,

**DECLARATION OF ALBERT E.  
FONTENOT, JR.**

V.

WILBUR L. ROSS, JR., *et al.*,

## Defendants.

**DECLARATION OF ALBERT E. FONTENOT, JR.**

I, Albert E. Fontenot, Jr., make the following Declaration pursuant to 28 U.S.C. § 1746, and state that under penalty of perjury the following is true and correct to the best of my knowledge and belief:

DECLARATION OF ALBERT E. FONTENOT, JR.  
Case No. 5:20-cv-05799-LHK

- 1       1. I am the Associate Director for Decennial Census Programs at the U.S. Census Bureau. I
- 2               am submitting this declaration in support of the government's opposition to Plaintiffs'
- 3               motion for a temporary restraining order.
- 4       2. In this declaration I update my statements in prior declarations to explain how the Census
- 5               Bureau could close field data collection operations on October 5, 2020 and submit
- 6               apportionment counts by the statutory deadline, December 31, 2020.
- 7       3. This shift is reflected in the following updated post-processing schedule. The schedule
- 8               evidences how the Census Bureau might close data collection on October 5, 2020 and still
- 9               produce apportionment counts before the statutory deadline.
- 10      4. Incorporate address updates from the field data collection operations into MAF/TIGER.<sup>1</sup>

11               **Original Dates: February 10 – August 10, 2020**

14               **Replan Dates: February 6– September 24, 2020**

15               **Revised Dates: February 6– September 30, 2020**

- 16       5. During the data collection operations, the census field staff can update address and
- 17               physical location information and add addresses. These updates are incorporated into our
- 18               address and geo-spatial MAF/TIGER databases. Once updated, each address must be
- 19               associated to the correct state, county, tract, block group and block. Since it is critical to
- 20               associate each address to the correct geography, we verify that the address and geo-
- 21               spatial updates are incorporated correctly.

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26       1 MAF/TIGER refers to the Master Address File/Topologically Integrated Geographic Encoding

27               and Referencing (MAF/TIGER) System. The MAF/TIGER System provides the foundation for

28               the Census Bureau's data collection, tabulation, and dissemination activities. It is a national

             repository of geographic data—including addresses, address point locations, streets, boundaries,

             and imagery.

1       6. Incorporate final addresses

2       **Original Dates: August 14 – September 1, 2020**

3       **Replan Dates: September 5 – 25, 2020**

4       **Revised Dates: September 5 – September 30, 2020**

5       7. Please note that the timing for this step changed because of the September 5, 2020  
6       Temporary Restraining Order (“TRO”). While we had intended under the Replan to add  
7       the last “pull” of addresses on September 4, 2020, because of the TRO, we added  
8       additional addresses on both September 17 and 27.

9       10. 8. Produce the Final Collection Address Data Products from MAF/TIGER

10       **Original Dates: September 2 – 14, 2020**

11       **Replan Dates: September 26 – Oct 14, 2020**

12       **Revised Date: October 1 – Oct 19, 2020**

13       15. 9. In preparation for the producing the final collection geography data files needed for  
14       producing the apportionment counts and redistricting data products, we create a  
15       benchmark of MAF/TIGER, which is a snapshot of the databases.

16       19. 10. Once the benchmark has been created, the final collection geographic data files are  
17       produced and verified.

20       21. 11. Produce and review the Decennial Response File 1 (“DRF1”)

21       **Original Dates: September 15 – October 14, 2020**

22       **Replan Dates: October 14– November 8, 2020**

23       **Revised Date: October 19– November 13, 2020**

12. The verified final collection geography data are integrated with the response data.

1  
2 Integration of these data is also verified to ensure accuracy. The next set of activities  
3 involves the standardization of the collected information.

4  
5 13. First we determine the final classification of each address as either a housing units or a  
6 group quarters facility. Addresses can change from a housing unit to group quarters and  
7 vice versa. Initial status is set at the start of the data collection operations as either a  
8 housing unit or group quarters. During the enumeration operations, we collect  
9 information that informs us on the classification. For a small number of addresses the  
10 classification may change, for example a housing unit may have been turned into a small  
11 group home. Based on the information collected we determine the status of every  
12 address as either a housing unit or group quarters.  
13

14. Next, we identify each unique person on the housing unit returns.

15. As part of the Non Response Followup (“NRFU”) operation, we conduct a reinterview of  
16 a sample of cases to ensure quality. We incorporate the results of the reinterview.  
17

18. As part of the Internet self-response option and telephone operation, respondents can  
19 provide their data without their Census Identification Number (“ID”). These cases are  
20 assigned an ID which associates them to the final collection geography.

21. Some group quarters will provide the information electronically. These files can contain  
22 duplicate records, so we need to remove the duplicates.  
23

24. We also determine the population count for all group quarters.

25. We collect data in many ways, for example on-line, over the phone, on a paper  
26 questionnaire, electronic administrative files, and in person using an electronic  
27  
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1 questionnaire. As a result, we need to standardize the responses across the modes of  
2 collection.

3 20. Finally, for the operations that collect data on a paper questionnaire, some housing units  
4 have more people than can fit on one paper questionnaire. The census field staff will use  
5 multiple paper questionnaires to enumerate the house. These continuation forms are  
6 electronically linked to form one electronic form.

7 21. Produce and review the Decennial Response File 2 (“DRF2”)

8 Original Dates: October 14 – November 4, 2020

9 Replan Dates: November 9 – 30, 2020

10 Revised Dates: November 14 – December 5, 2020

11 22. Once the previous step has been verified, we incorporate the results from the Self-  
12 Response Quality Assurance operation. As part of the group quarters operations, we  
13 enumerate domestic violence shelters. Their locations and data are high sensitive and are  
14 handled with special procedures both in the field and in processing. Their data are  
15 incorporated at this point in the process. Finally, for a small number of addresses we  
16 receive multiple returns, for example where one person in a house completes the form on-  
17 line, and other completes the paper questionnaire. For these cases, we select a form that  
18 will be used as the enumeration of record.

19 23. Produce and review the Census Unedited File (“CUF”)

20 **Original Dates: November 4 – 30, 2020**

21 **Replan Dates: December 1 – 14, 2020**

22 **Revised Dates: December 5 – 19, 2020**

1       24. Once the previous step has been verified, we incorporate administrative records data as  
2       the response data for housing units were we do not have an enumeration and have high  
3       quality administrative records data. Next we determine the status for every housing unit  
4       as occupied, vacant or non-existent. Non-existent units are removed from future  
5       processing. For every occupied housing unit, the population count is determined. For  
6       each person with write-in responses to the race and Hispanic origin questions, we merge  
7       in the information from automated and clerical coding operations. The coding operations  
8       assign a numerical value to the write-in responses. At this point in the post-data  
9       collection activities, for every housing unit and group quarter their location (state, county,  
10      tract, block group and block) is assigned, their status (occupied, vacant or non-existent) is  
11      determined, and in occupied addresses the number of persons is known. In addition, at  
12      the person level the demographic information (relationship, age, date of birth, sex, race  
13      and Hispanic origin along with write-in code values) and at the housing unit level  
14      housing information (tenure) is determined. For the majority of these items, the  
15      respondent provided the information. However, for a small number of people and  
16      addresses the information may be missing or inconsistent with other provided  
17      information, for example the Person 1's spouse is five years old. The result of these  
18      processes is a file that contains records for every housing unit and group quarters along  
19      with person records for the people associated with the addresses. Note that some of the  
20      demographic information and response to the tenure question may be missing.  
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1 25. Produce, review and release the Apportionment Counts

2 **Original Dates: December 1 – 28, 2020**

3 **Replan Dates: Dec 15- 31, 2020**

4 **Revised Dates: Dec 20- 31, 2020**

5 26. Once the CUF has been verified, the process goes down two paths. The first path is to  
6 determine the apportionment counts. Since every housing unit and group quarters has a  
7 population count and linked to a state, we can tabulate the state level population counts.

8 In addition, we merge in the count of the Federally Affiliated Overseas population and  
9 the results of the Enumeration of Transitory Locations for each state. To ensure accuracy  
10 in the apportionment numbers, the state counts including the overseas population and  
11 apportionment numbers are verified by multiple independent ways. The results of the  
12 independent verifications are compared and reconciled, if necessary. The Census

13 Bureau identified a modification to the post processing schedule that would still allow the  
14 steps necessary to ensure data integrity to be completed by December 31, 2020 and  
15 submit the required report by that date. Certain processing steps necessary to fully  
16 implement the Presidential Memorandum dated July 21, 2020 will not be completed until  
17 after December 31, 2020. The Census Bureau will continue to evaluate if there are  
18 methods to streamline any of these processes.

1 I have read the foregoing and it is all true and correct.  
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3 DATED and SIGNED:  
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6 Albert E. Fontenot, Jr.  
7 Associate Director for Decennial Census Programs  
8 United States Bureau of the Census  
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